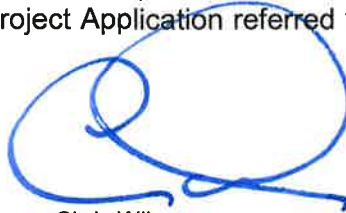


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation dated 4 April 2013, I the Executive Director of Development Assessment Systems and Approvals, approve the modification of the Project Application referred to in schedule 1, subject to the conditions in schedule 2.



Chris Wilson
Executive Director
Development Assessment Systems and Approvals

Sydney

3 MARCH

2014

SCHEDULE 1

Project Approval:

MP10_0097 granted by the Planning Assessment Commission on 7 February 2011

For the following:

Redevelopment of the Spectator Precinct including:

- Substantial alterations and additions to the existing Queen Elizabeth (QE) II stand.
- Demolition and rebuild of the Paddock stand.
- Construction of a new "link building" structure between the QEII and Paddock stands.
- Construction of a new parade ring to the rear of the QEII and Paddock stands with associated amphitheatre style seating to establish a "Theatre of Horse".
- Construction of a three storey Owners and Trainers Pavilion building adjacent to the parade ring.
- Construction of a new amenities building.
- Adaptive reuse of the existing Swab Building to accommodate a racing museum and members sign up area including a conference facility for a maximum of 100 people and a café facility.
- Demolition of the existing Randwick Pavilion and Tea House buildings.
- Demolition of the existing escalator structures to the rear of the grandstands.
- Associated services infrastructure upgrades, civil and landscape works.

Modification:

MP10_0097 MOD 2 for:

- extension of the site boundary to include the whole Spectator Precinct, Services Precinct, and the racetrack Infield Precinct;
- use of the land and buildings within the Spectator Precinct, Services Precinct and Infield Precinct for non-race day minor events for up to 5,000 patrons for a duration of no more than 10 days, except for university exam events which may have a duration of no more than 14 days;
- amended floor layout of level 4, to provide a private member's facility and public restaurant;
- use of the Spectator Precinct, and Infield Precinct for car parking associated with non-race day minor events; and
- erection of temporary structures for non-race day events.

SCHEDULE 2 CONDITIONS

The above approval is modified as follows:

- a) Condition A1 is amended by insertion of the **bold and underlined** words as follows:

A1 Development Description

Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1 **and any subsequent modifications**, and development must be carried out consistently with the Statement of Commitments (attached as Schedule 3).

These conditions of approval do not relieve the proponent of its obligations under the EP&A Act or any other Act.

- b) Condition A2 is amended by insertion of the **bold and underlined** words as follows:

A2 Development in accordance with plans and documents

The development will be undertaken in accordance with the following drawings and documents:

<i>Environmental Assessment Royal Randwick Racecourse Spectator Precinct Redevelopment and Appendices prepared by Urbis, October 2010</i>			
Architectural (or Design) Drawings prepared by Fitzpatrick + Partners and Tonkin Zulaikha Greer Architects			
Drawing No.	Revision	Name of Plan	Date
DA-05	A	Existing Roof Plan	23/09/2010
DA-06	A	Proposed Roof Plan	23/09/2010
DA-07	A	Proposed Site Plan	23/09/2010
DA-08	A	Proposes site Elevation	23/09/2010
DA-09	A	Grandstand Basement 2	23/09/2010
DA-10	A	Grandstand Basement 1	23/09/2010
DA-11	A	Grandstand Ground	24/09/2010
DA-12	A	Grandstand Level 1	23/09/2010
DA-13	A	Grandstand Level 2	23/09/2010
DA-14	A	Grandstand Level 3	23/09/2010
DA-15	A	Grandstand Level 4	23/09/2010
DA-16	A	Grandstand Level 5	23/09/2010
DA-17	A	Grandstand Level 6	23/09/2010
DA-18	A	Grandstand Level Plant	23/09/2010
DA-19	A	Grandstand Level Roof	23/09/2010
DA-20	A	QEII Section A-A (Existing)	24/09/2010
DA-21	A	QEII Section A-A (Demolition)	24/09/2010
DA-22	A	QEII Section A-A (Proposed)	24/09/2010
DA-23	A	Paddock Sect BB & Link Sect C-C	23/09/2010
DA-24	A	Elevation NW-SE	24/09/2010
DA-25	A	Elevation SW-NE	24/09/2010
DA-30	A	Parade Ring Ground	23/09/2010
DA-31	A	Parade Ring Level 1	23/09/2010
DA-32	A	Section A-A & B-B	23/09/2010
DA-33	A	Section C-C & D-D & E-E	23/09/2010
DA-60	A	Cut and Fill Plan	23/09/2010
DA-70	A	Materials and Finishes Schedule	24/09/2010
DA-71	A	Materials & Finishes Board	6/10/2010
A-000	A	Cover Sheet/Drawing List/Legend	21/09/2010
A-010	A	Site Plan	21/09/2010
A-011	A	Site Elevation	21/09/2010

A-100	C	Ground Floor Plan	06/09/2010
A-101	C	Roof Plan	06/09/2010
A-200	C	North & South Elevations	06/09/2010
A-201	C	West & East Elevations	06/09/2010
A-300	C	Cross & Longitudinal Sections	06/09/2010
A-400	A	Materials & Finishes Sample Board	21/09/2010
Architectural Furniture Plan prepared by Woods Bagot			
SK2002	A	Furniture Plans – Level 04 Overall	21/08/13

c) Condition A5 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

A5 Non-Race Day Events/Functions

Non-race day events/functions up to 10 days and with a maximum of 5,000 patrons at any one time, except for university exams which may have a duration of no more than 14 days, and consistent with any plan of management that may apply to the land are permitted on the Spectator Precinct and Infield Precinct of the site. A separate Development Application is required to be submitted to and approved by the Department with regard to any non-race day events/functions beyond the scope of this approval to be carried out within the Spectator Precinct of the RRR (unless exempt from approval under other relevant planning legislations).

d) Condition E11 is amended by insertion of the **bold and underlined** words and deletion of ~~struck-out~~ words as follows:

E11 Traffic

Prior to the issuing of an Occupation Certificate Transport Access Guides (TAGs) for specific events such as Major Race Days and **minor non race day events where the maximum 5,000 patrons are anticipated or where large numbers of patrons are expected to arrive simultaneously** must be developed. The Transport Access Guide must be prepared in accordance with the RTA's Guide to Producing and Using Transport Access Guides and other guidelines/standards considered best practice.

Prior to the issuing of an Occupation Certificate the applicant must engage a suitably qualified traffic consultant to apply to the RTA for reclassification of Alison Road, between Anzac Parade and the Racecourse gate, as an RTA approved B-double route. B-double vehicles are not to enter/exit the site until such time as the RTA has approved the necessary reclassification.

Prior to the issuing of an Occupation Certificate the applicant must engage a suitably qualified traffic consultant to apply to the RTA seeking a reduction in the speed limit on Alison Road, between Anzac Parade and Darley Road, from 70km/h to 60km/h. This condition is required to improve traffic (including protecting pedestrians/patrons attending events).

e) The following conditions are inserted as **bold and underlined** as follows:

F10 Noise Limits

All non race day minor events being held pursuant to condition A5 shall comply with the noise limits recommended by the Acoustic Assessment prepared by ARUP dated 15 November 2013 and submitted with MP10 0097 MOD 2, with the exception of amplified outdoor events which shall comply with the noise criteria as outlined:

Noise Criteria for outdoor amplified events (excluding Level 4 terrace)	
Sunday to Thursdays:	
<u>9:00am to 6:00pm</u>	<u>Maximum 60dB(A) $L_{A1, 5min (Event)}$ and 80 dB(C) $L_{C1, 5 min (event)}$ as measured at any residential premises.</u>
<u>6:00pm to 10:00pm</u>	<u>Same as unamplified outdoor events and amplified indoor events as recommended by the Acoustic Assessment prepared by ARUP dated 15 November 2013</u>

<u>10:00pm to 9:00am</u>	<u>No outdoor amplified events permitted unless approved via a separate development consent</u>
Fridays, Saturdays and Public Holidays:	
<u>9:00am to 8:00pm</u>	<u>Maximum 60dB(A) $L_{A1, 5min (Event)}$ and 80 dB(C) $L_{C1, 5 min (event)}$ as measured at any residential premises.</u>
<u>8:00pm to 11:00pm</u>	<u>Same as unamplified outdoor events and amplified indoor events as recommended by the Acoustic Assessment prepared by ARUP dated 15 November 2013</u>
<u>11:00pm to 9:00am</u>	<u>No outdoor amplified events permitted unless approved via a separate development consent</u>

F11 Noise Level Monitoring

Noise level recordings shall be undertaken for all outdoor amplified events with a compliance report prepared annually. Copies of the final document are to be made available the Department and Council and to the general public through those agencies. The summary report will set out:

- i) Compliance or non-compliance with noise and time limits;
- ii) The times and duration of any occasions where there were exceedances of the noise and time limits;
- iii) A table identifying the number of complaints, types of complaint and mitigation measures taken by the Australian Turf Club including any subsequent correspondence from the complainant.
- iv) Recommendations by the Australian Turf Club and/or its acoustic consultant on any proposed changes to conditioned controls – if required.
- v) What measures were implemented to ensure that the exceedance(s) did not reoccur.

The report should summarise the noise monitoring results outlining in plain English the number of exceedances and the measures taken to manage these.

F12 Level 4 Outdoor Terrace

The following additional measures shall be imposed to minimise noise impacts:

- closure of the outdoor terraces by midnight every night;
- sound system compliance with relevant noise criteria; and
- all level 4 sound systems to incorporate RMS limiting.

F13 Operation Hours for Restaurant/Members Facility and Minor Non-Raceday Events

The following operating hours shall apply for the level 4 restaurant/members facility and for non race day events being held pursuant to condition A5:

- Level 4 Restaurant/members facility:
Mondays to Sundays 7:00am to 2:00am
- Level 4 Outdoor Terrace
Mondays to Sundays 7:00am to 12:00am
- Indoor Amplified Events
Monday to Sundays 7:00am to 2:00am
- Outdoor Unamplified events
Monday to Sundays 7:00am to 12:00am
- Outdoor Amplified events
Sundays to Thursday 9:00am to 10:00pm
Fridays, Saturdays and Public Holidays 9:00am to 11:00pm

F14 Temporary Structures

All temporary structures for minor events shall be removed within 1 week of the cessation of any event.

F15 Events Impacts

During staff briefings for event setups, personnel should be informed of their obligations and requirements in relation to any archaeological relics discovered on site.

F16 Consultation with Transport for New South Wales (TfNSW)

The Australian Turf Club shall consult with TfNSW in relation to construction and operation of the light rail project at all stages of the development.

- f) *Replacement of the Schedule 3 - Statement of Commitments in Schedule 3 with the following:*

SCHEDULE 3

STATEMENT OF COMMITMENTS

Subject	Commitments	Timing
Traffic and Transport	The AJC is to engage a suitably qualified traffic engineer to undertake observations during a major event to confirm adequacy of the current transport strategy and anticipate conditions when 50,000 are attending an event. Where the observations indicate the strategy is not adequate, mitigation measures will be recommended and implemented. Particular attention be paid to the conflicts between vehicles and pedestrians at the intersection of Doncaster Avenue and Ascot Street.	During major events
	The Minor Event Transport Management Plan by Parking and Traffic Consultants be implemented during all minor non-race day event.	During minor non-race day events
Event Management	The Minor Events and Functions Management Plan be implemented for all relevant minor events	During minor non-race day events

Subject	Commitments	Timing
Landscape Design and Tree Preservation	<p>The Proponent agrees to the following measures and actions recommended in the Arborist Report prepared by Earthscape Horticultural Services dated September 2010:</p> <ul style="list-style-type: none"> ▪ The following Tree Protection Specifications should be implemented to ensure the long term survival of all trees within the site to be retained as part of the development. <ul style="list-style-type: none"> ○ The proposed pavement on the south-western side of T58 should be relocated outside the Structural Root Zone, no closer than the footprint of the existing paved area, to avoid severance and damage to woody roots ○ Demolition of existing paved areas and pathways located within the TPZ's of tree No.s T58, T61, T62, T64, T77 & T78 should be undertaken in accordance with Section 14.18. ○ Excavations for new pavement sub-grade within the TPZ's of tree No.s T58, T61, T62, T64, T77 & T78 should be undertaken in accordance with Section 14.19. ○ In order to avoid any adverse impact on trees T68, T69, T84 & T85, the existing ground levels within the raised planter box areas surrounding each tree should be retained as existing. The existing area occupied by the planters should be maintained as a landscaped or garden area without any new pavement. ○ In order to avoid any adverse impact on T91, consideration should be given to altering the alignment or width of the proposed pathway on the western side of this tree or alternatively installing a permeable pavement above existing ground levels to minimise the incursion to the root zone. Consideration should also be given to relocating the proposed amenities block outside the TPZ. ○ In order to avoid any adverse impact on T91, consideration should be given to relocating the proposed amenities block outside the TPZ of this tree (15 metres 	<p>Prior to construction</p>
Accessibility	<p>The Construction Certificate shall include details demonstrating:</p> <ul style="list-style-type: none"> ▪ Floor systems used in the grandstands are slip resistant in accordance with AS4586 and HB197. ▪ The design will ensure that all accessible WC entry doors have a minimum clear open width of 800mm (870mm door leaf) compliant with AS1428.1 and BCA. Should the client wish to comply with the DDA Premises standards, ensure the door has a minimum 850mm clear open width (920mm door leaf). ▪ A minimum 2000mm x 1600mm un-obstruction circulation space would be required around the toilet pan compliant with AS1428.1 A 	<p>Prior to issue of the Construction Certificate</p>

Subject	Commitments	Timing
	<p>the toilet pan would be required should the client wish to comply with the DDA Premises Standards. In both instances the basin should not encroach into this area (may encroach max 100mm).</p> <ul style="list-style-type: none"> ▪ The detailed design of the Spectator grandstand will ensure the accessible WC found on level 2 is approached from within the Chairman Lounger Area corridor, rather than from the BOH (DDA issue). ▪ The detailed design of the proposal will consider the provision of an ambulant cubicle in each of the male and female bank of toilets, compliant with AS1428.2. 	
Groundwater Management	<p>The reconfigured stormwater system will remain offline until the system is complete and the site is sufficiently stabilised. Swale sand/metal pillows in geotextile fabric will cover any existing stormwater inlets and gully inlets to prevent runoff entering the system prematurely.</p> <p>All fuel or chemicals stored on site during construction shall be kept within bunded areas in double skinned containers.</p>	During construction
Integrated Water Management	<p>Rainwater Harvesting will be installed in accordance with the recommendations of Arup's Integrated Water Management Plan.</p> <p>Low Water Use WELS rated taps and fittings will be used in accordance with the recommendations of Arup's Integrated Water Management Plan.</p> <p>A sediment and erosion control plan will be prepared and implemented in accordance with the Sediment and Erosion Control measures included in section 8 of Arup's Integrated Water Management Report</p>	<p>Prior occupation to</p> <p>Prior occupation to</p>
Stormwater Management	<p>A detailed stormwater overland flow plan will be prepared as part of the detailed engineering design phase of the project to ensure that surface flows are directed away from buildings.</p>	Prior construction to
Contamination	<p>Additional contamination investigations will be undertaken in accordance with the recommendations of the DP report to verify the extent of asbestos contamination in the vicinity of TP102. This will involve step-out sampling at TP102.</p> <p>If any asbestos pipes are uncovered during bulk excavation they will be managed by the implementation of an "unexpected asbestos finds protocol" that shall be developed.</p> <p>Subsequent to delineating the extent of the asbestos contamination in the vicinity of TP102, remedial works will be undertaken where require to render the site suitable for the proposed development.</p> <p>Waste will be disposed off as per the recommendations of the DP report.</p>	<p>Prior construction to</p> <p>Prior construction to</p> <p>Prior construction to</p>
Aboriginal Heritage	<p>Consultation with the Aboriginal community should continue where necessary and they should be given the opportunity for continued</p>	During construction

Subject	Commitments	Timing
	<p>involvement in the project;</p> <p>In the event that previously undiscovered Aboriginal objects, sites or places (or potential Aboriginal objects, sites or places) are discovered during construction, all works in the vicinity of the find should cease and AJC/Urbis should determine the subsequent course of action in consultation with a heritage professional, relevant registered Aboriginal stakeholders and/or the relevant State government agency as appropriate; and</p> <p>If suspected Aboriginal skeletal material is identified on the site, all works should cease and the NSW Police and the NSW Coroner's office contacted. If the burial proves to be archaeological, consultation with a heritage professional, relevant registered Aboriginal stakeholders and/or the relevant State government agency will be undertaken.</p>	<p>During construction</p> <p>During construction</p>
<p>Non-Indigenous Heritage</p>	<p>An experienced Conservation Architect will be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project to resolve matters where existing significant fabric and spaces are to be subject to change.</p> <p>An Archaeological Management Plan for the Spectator Precinct should be prepared and implemented prior to the commencement of works.</p> <p>An Archival Photographic Recording of the Spectator Precinct should be made prior to the commencement of any works. The archival recording should include details of the exteriors, interiors and setting of the Tea House, Swab Building, Grandstands and Parade Ring, as well as the site layout and visual character of the built and landscape elements of the Spectator Precinct.</p> <p>The Royal Randwick Racecourse - Interpretation Plan - Phase 1: Strategic Overview - Draft Report, prepared by Godden Mackay Logan in November 2007 will be used to inform the development and implementation of future site interpretation.</p>	<p>During detailed design and construction</p> <p>Prior to construction</p> <p>Prior to construction</p>
<p>Acoustics</p>	<p>Noise from proposed mechanical plant will be controlled to meet the established INP criteria at the nearest noise sensitive receivers at 66A Doncaster Avenue.</p> <p>Any new sound system installed as part of the development will be designed using line array loudspeaker technology and directional sub-woofers that allow the sound to be directed digitally to the location where it is needed, and avoid unnecessary sound spill to other areas.</p> <p>Physical articulation on the back of the grandstands will be maximised where practical in the architectural design to scatter any reflected sound from the sound system. To prevent focusing of sound, the depth of articulation will vary.</p> <p>Noise limits at affected residences similar to those approved for the Future Music Festival 2010 be adopted in order to set noise limits for all event types to be held at Randwick Racecourse (both race day and non-race day events). This noise limit is to apply to events held both on the infield</p>	<p>During operation</p> <p>Prior to occupation</p> <p>Prior to issue of construction certificate</p>

Subject	Commitments	Timing
	<p>and within the Theatre of the Horse. The proposed noise limit criteria are:</p> <p>< LA1,15min 70 dB(A) < LC90,15min 90 dB(C)</p> <p>Noise levels are to be measured at affected residences with the sound level meter set to the 'fast' response setting over any 15 minute period during the event, including any bump in/out phases and sound checks.</p>	
	<ul style="list-style-type: none"> - "When background music is played through the installed sound system within the Grandstand or other buildings (on any level excluding level 4), the doors and windows must be closed after 11pm. - Events using temporary hired sound systems with music for indoor events within the Grandstand or other buildings must have all windows and doors closed when sound systems are in use. - The temporary stage orientation and location for events in the Theatre of the Horse is to be orientated to minimise impact on Location 1 and Doncaster Road properties behind it. - Temporary hire PA systems and equipment shall be designed and operated in such a fashion as to minimise noise spill to the site boundaries at all times. - Sound system levels shall be set and verified to comply with the nominated criteria. - Noise measurement/monitoring shall be undertaken for Amplified Outdoor Events when required as per the description in Section 7.3.2.2, including: <ul style="list-style-type: none"> o Outdoor Amplified Events: o Maximum of 60 dB(A) LA1, 5min (Event) and 80 dB(C) LC1, 5min (Event) as measured at the most affected noise sensitive receiver (i.e. typically nearest residential boundary). Note that these limits are for the noise generated by the event only and shall be distinguished between noise from traffic and other sources when required. The limits apply for the entire duration of the event and associated sound checks, etc. o Event end time shall not exceed 23:00 o Event limited to maximum duration of 12 hours in length (including sound checks on day of) o Each event allowed 1.0 hour sound check / rehearsal during daytime hours on non-event day (09:00 – 18:00) o Maximum event capacity of 5000 patrons 	<p>During Events</p> <p>Mino</p>

	<ul style="list-style-type: none"> ○ “Amplified events” is defined to mean all events using either installed sound systems or temporary hired sound systems for audio reproduction ○ Includes all amplified event types, including speech only, functions and music performances ○ Applies to events held anywhere outdoors, including Theatre of the Horse and Infield (but excludes background music on Level 4 terraces) Method of noise level compliance to be assessed by ATC taking into account duration and timing of event, location of event and planned sound system. At ATC discretion, noise monitoring to be undertaken by ATC staff or external consultant as required. <p>- External event operators shall submit an Event Noise Management Plan to the ATC for all Amplified Outdoor Events.</p> <p>Level 4 Operational Noise Management Plan (excludes other areas):</p> <ul style="list-style-type: none"> - Level 4 (operating under a new liquor licence) will comply with the NSW OLGR standard noise conditions. Notwithstanding, the following procedures will be implemented to assist with the mitigation of noise from its operation on non-race day events: <ul style="list-style-type: none"> ○ Closure of the outdoor terraces by 00:00 midnight every night. ○ Signage erected at points of egress informing patrons to respect the neighbours. ○ On nights where large numbers of patrons are expected, a security guard will be placed at the bottom of the central lift directing patrons and informing them to leave in a quiet and orderly manner ○ For large groups, transportation will be arranged prior to the group leaving the premises. ○ Sound system compliance with the OLGR criteria will be certified by a suitably qualified engineer within 30 days of the commencement of night time functions and re-testing will take place every 18 months. ○ All Level 4 sound systems will incorporate rms limiting.” 	
<p>Public Safety and Security</p>	<p>A detailed CPTED assessment will be undertaken to further demonstrate how the proposed design achieves the CPTED principles. In particular, the proposal will need to demonstrate compliance with the following CPTED principles:</p> <ul style="list-style-type: none"> ▪ Territoriality ▪ Territorial Reinforcement ▪ Surveillance ▪ Adjacencies 	<p>Prior to issue of construction certificate</p>

ESD	The development will be designed, constructed and operated in accordance with the recommendations of Arup's ESD report 003 Issue 3.	Prior to issue of the Construction Certificate, occupation and operation
Utilities Infrastructure	Augmentation of existing electricity infrastructure in accordance with Energy Australia requirements.	Prior to occupation
Temporary Structures	<ul style="list-style-type: none"> ▪ All temporary structures will be erected during the days in the lead up to non-race day events, and dismantled and removed from site within the days following any event. ▪ All temporary structures are to be designed and constructed in accordance with the relevant provisions of the Environmental Planning & Assessment Regulation 2000 and the provisions of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia 2007. All temporary structures on site will have wind ratings assigned to them. ▪ The maximum capacity of each temporary structure or enclosure will be controlled by the BCA. The number and width of exits to any tent, marquee or booth used as a temporary structure will be provided in accordance with the provisions of NSW H102.4 and NSW Table H102.4 of the Building Code of Australia 2007. ▪ All temporary structures will be located in the designated zones as identified in Figure 4 of the Urbis 75W Modification Report dated May 2013 	During Events Mino